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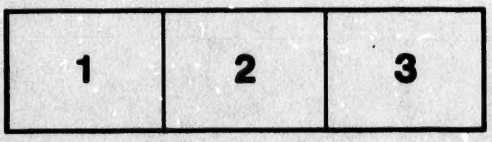

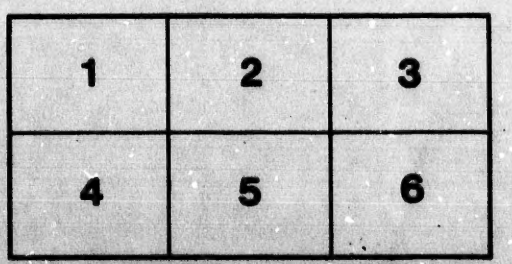

GLANCE AT THE PRESENT STATE

OF THE

Common Gaols of Canada,

&c., &c., &c.

A PAPER

Read before the Literary and Historical Society of Quebec,

6TH APRIL, 1864.

BY E. A. MEREDITH, LL. D.

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GLANCE AT THE PRESENT STATE

OF THE

COMMON GAOLS OF CANADA,

THE

INDIVIDUAL SEPARATION OF PRISONERS (WITH SHORTENED SENTENCES) RECOMMENDED ON MORAL AND ECONOMIC GROUNDS.

"There are in every county in England large public schools, maintained at the expense of the county, for the encouragement of profligacy and vice, and for providing a proper succession of housebreakers, profligates, and thieves. They are schools, too, conducted without the smallest degree of partiality or favour, there being no man (however mean his birth or obscure his situation) who may not easily procure admission to them. The moment any young person evinces the slightest propensity for these pursuits, he is provided with food, clothing and lodging, and put to his studies under the most accomplished thieves and cut throats the country can supply. There is not, to be sure, a formal arrangement of lectures, after the manner of our Universities; but the petty larcenous stripling, being left destitute of every species of employment, and locked up with accomplished villains, as idle as himself, listens to their pleasant narrative of successful crimes, and pants for the hour of freedom, that he may begin the same bold and interesting career."

THIS is the picture drawn by the late Sydney Smith of the prisons of England, a little more than forty years ago—a perfectly true picture, he tells us, of the prisons of many counties in England at that time. Happily, a great revolution has since then been effected in prison discipline in England, and if there is still much room for improvement in her prison system, yet there are few, if any, prisons in that country to which the preceding description would now be applicable. To bring about that much-needed reform, few, perhaps, contributed more than the famous Canon of St. Paul's, whose strong good sense, caustic humour, and trenchant logic were never employed with more effect or more hearty good will than in laying bare the social abuses of his time. And if the prison discipline of England is to attain a still higher degree of excellence, it will probably be by following out and developing the admirable practical suggestions contained in the essays on prisons written by Sydney Smith more than forty years ago.

It is a very strong argument to my mind, in favor of the views

which are advanced in the present paper, that they are in the main identical with those so powerfully enforced by that great social reformer.

The picture given by Sydney Smith, though intended for the gaols of England alone, was unhappily applicable to the gaols of nearly all countries at that time. Certainly it contains a most truthful representation of the condition of the gaols of this Canada of ours a few years back. The first important step taken in Canada, towards reforming our prison system, was by the establishment, in 1859, of a Board of Inspectors of Asylums and Prisons. As a member of that Board since its first establishment, I certainly am not inclined to undervalue its labours in the matter of prison reform, and during the course of the remarks which follow I shall have occasion to notice some of the improvements which have been effected in our prison system through the instrumentality of the Board. But the powers of the inspectors reach but a short way, while the evils to be remedied were of long growth, widely spread, and deeply rooted. Though much, therefore, has already been done, much, very much, remains to be done before we can rest satisfied with our work, before we can pretend that our prisons and prison discipline in Canada are at all what they ought to be in a civilized and Christian land.

We have said that Sydney Smith's picture of the county gaols of England forty years ago was a faithful representation of all our gaols in Canada, a very few years back. Is it possible that it is a faithful picture of any of our prisons at the present day? Can it be true that any of our gaols now are nurseries of crime, schools where our criminals are trained in vice and educated for the penitentiary and the gallows? Can it be possible that we still have gaols where we are systematically *manufacturing* criminals instead of *reforming* them? Those who are best acquainted with our common gaols, particularly those of our larger cities, Quebec, Montreal and Toronto, will be least likely to answer these questions in the negative.

> "Pudet hæc opprobria nobis
> Et dici potuisse et non potuisse repelli."

If, then, it must be admitted, as with shame it must, that there are many gaols in the country which are obnoxious to the charge of being schools of vice and crime, it becomes us to consider whe-

ther this frightful state of things shall be permitted any longer to continue. Is it hopeless to attempt to remedy the evil? The cause of the evil is patent to all, nor is the true remedy far to seek. The source of the evil is the present unchecked association of prisoners which obtains in many of our gaols, especially in our large city prisons, and the obvious and only remedy of the evil is to be found in putting an effectual stop to this practice, and enforcing a strict and absolute separation of the prisoners from each other during the whole period of their imprisonment.

The object, then, of the present paper is to advocate this system of separation among prisoners in gaol, and I trust that I shall be able to show that by establishing this system we may not only reasonably hope to prevent our gaols from being, as they have hitherto been, centres for the dissemination of vice and crime through the country, but that we shall also render them much more deterrent in their character and at the same time materially diminish their cost to the country.

The repression of crime is, it is almost needless to state, the paramount object of all penal legislation and of all penal institutions. It is for this purpose that the State has organized its costly machinery of refuges, reformatories, gaols and penitentiaries. But while the great aim and object of all these institutions is one and the same, the agencies by which they severally seek to effect it are widely different. These agencies may be said to be three-fold—preventive, remedial, and deterrent. All the institutions we have named employ to some extent each of these agencies, but they employ them in very different degrees. Refuges or homes for example are essentially preventive; reformatories are mainly remedial; while penitentiaries and gaols partake more of the deterrent character than of either the preventive or remedial.

The remarks which follow are meant to apply more particularly to common gaols as distinguished from *Central* or *District* gaols, such as exist in other countries, and such as the Board has earnestly laboured to have established in Canada. In other words, they are more particularly applicable to gaols for *short-sentenced* prisoners.

Common gaols, such as are now referred to, are supposed to assist in repressing crime in two ways:

Firstly and immediately—by protecting society from the depredations of the criminals shut up within their walls; and,

Secondly and principally, though indirectly—by the moral influence they exert in deterring evil-disposed persons from the commission of crime.

So far as the first point is concerned, all gaols and all other places of confinement for prisoners are equally useful. It is not a question of discipline but of construction—a question simply of walls, locks and bolts. On the other hand, the usefulness of a gaol under the second aspect, that of deterring from crime, will depend almost altogether on the discipline enforced in it.

To deter from crime may, therefore, be said to be the proper function of a gaol. I should be happy were it in my power to state that I regard the common gaols of Canada as aiding in the repression of crime, by the reformatory influences which they exert on the minds of the prisoners passing through them. Few common gaols indeed in any country have any true claim to be classed as reformatory institutions, and, unfortunately, the gaols in Canada form no exception to the general rule.* Indeed, the shortness of the sentences, and the absence of any attempt to impart either secular or religious instruction to the prisoners during their imprisonment, would preclude the hope that any important moral improvement could be effected in the prisoners while confined in our common gaols. The reformation of our criminals, if it is to be effected at all, must be effected by means of our reformatories and penitentiaries, or by our central prisons, should they hereafter be established.

It being admitted, then, that the especial function of our common gaols is to deter from crime, our primary aim should be so to order their discipline as to inspire evil-doers with a wholesome dread of them; that when they leave them they may do so with a firm resolution to avoid them for the future.

*Among the list of questions put to every convict about to be liberated from the penitentiary, is one as to whether the imprisonment in the common gaol, which he underwent before coming to the penitentiary, had exerted a beneficial effect on him or not. There is not probably one convict out of every hundred who answers that he was benefitted by his imprisonment in gaol. The answer almost invariably given is that the convict left the gaol decidedly worse than when he entered it!

The question then, How shall our gaols be rendered most effectual in repressing crime? may be presented in another shape. How shall we organize our gaols so as to increase (without resorting to cruel means) their deterrent influence? The deterrent influences commonly brought to bear in other countries upon prisoners in gaol (over and above the simple loss of liberty), are generally hard fare, hard labor, and solitary confinement or entire separation from their fellow prisoners during the period of their imprisonment.

When the Board of Inspectors of Asylums and Prisons was called into existence, a little more than four years ago, the common gaols throughout the province can hardly be said to have exercised any deterring influence whatever upon the criminal classes. Imprisonment in gaols then did not involve hard fare, hard labour, nor indeed any separation of the prisoners beyond the separation (in many gaols very imperfect) of the sexes. Instead of this the prisoners received, in the great majority of prisons, much better fare than they could have obtained outside the prison walls; of labour there was absolutely none or next to none, and classification or separation was not dreamt of, and was indeed in most prisons (from defective construction or inadequate accommodation) impossible. Everywhere the tried and the untried, the young and the old, the novice in crime and the practised and hardened offender, the modest and perhaps innocent girl and the most lost and degraded of the sex, were thrown together in one common apartment, where they had nothing to do the livelong day but recount old deeds of villainy and concoct schemes for the commission of new. In some of the gaols, indeed, they were allowed to relieve the monotony of their prison life with games of checkers, and with reading newspapers and novels. To the habitual frequenters of our gaols it is almost needless to say that this mode of life must have been most attractive, and to few or none would it have presented any very formidable aspect.

The Board have striven earnestly to remedy, as far as in their power, these very grave defects in the old *régime* of our prisons. They have laboured, and with very considerable success, to have all the old gaols so altered and improved as to conform to the salu-

tary requirements of the law, so far as regards the classification of the prisoners, and their strict separation from each other at night. Again, they have in their rules established for all the prisons, a uniform "prison dietary," a dietary which, while amply sufficient to support the prisoners in health during the period of their imprisonment, is not more than sufficient for that purpose, and is far below, both in cost and quality, the prison food formerly supplied. They have thus, so far as sanitary conditions would allow, established "hard fare" as part of the ordinary prison system of Canada. They have established a prison uniform, a dress of shame and degradation, for prisoners under sentence. In this and in other ways they have sought to make gaols more like what they should be, places of real punishment, from which men recoil with horror, painful to the memory and terrible to the imagination.

They have, moreover, taken the initiative in introducing the system of individual separation of prisoners, advocated in this paper, by directing that certain classes of prisoners shall be isolated from the others during the whole period of their imprisonment, and this for the avowed purpose of preventing contamination.

Still further to improve the prison system of Canada, the Board have strongly recommended the establishment of central or district prisons, two in Lower and three in Upper Canada, for "habitual offenders," and for all whose sentence is more than say forty or sixty days and less than two years. They have further advocated the appointment of unpaid local Boards of superintendents for all the gaols, with a view to insure their more frequent inspection. To effect these changes, or that recommended in the present paper, the aid of the legislature must be invoked.*

*There is, indeed, a provision in the statute book, of which I was not aware when I commenced this paper, authorizing the infliction of solitary confinement. It is found in cap. 99, sec. 110, of the Consolidated Statutes of Canada.

"When a person has been convicted of an offence for which imprisonment other than in the penitentiary may be awarded, the Court may sentence the offender to be imprisoned and kept to hard labor in the common gaol or house of correction, and may also direct that the offender may be kept in solitary confinement for a portion or for portions of the term of such imprisonment not exceeding one month at any one time, and not exceeding three months in any one year."

I am not aware that this power of sentencing offenders to solitary confinement is ever exercised in either section of the Province. Indeed, until within

But while, through the efforts of the Board, many important changes have thus been effected in our system of prison discipline, and while many others have been suggested, it appears to me that the giant evil of the whole system has been left almost wholly untouched and unchallenged. I refer to the free intercourse which the prisoners are permitted to have in their wards or day-rooms. Unchecked association among our prisoners—and there is no check of any kind on the intercourse of the prisoners in our gaols—is synonimous with the corruption and contamination of all who have not reached the level of degradation of the worst and lowest. Classify the prisoners, and you diminish the evil, but assuredly you do not cure it. There is but the one real remedy, and that is the strict and absolute separation of the prisoners one from the other. It would but little avail in our hospitals to enforce cleanliness in the wards, and to secure able medical advice for the patients, if, at the same time, we permitted those who were infected with loathsome and contagious diseases to mix with the ordinary patients. How much more unwise—how much more cruel is it so to organize our gaols (our moral hospitals) as to allow those who are morally diseased to the very core to pollute and contaminate, by their presence and conversation, the young and comparatively (nay, possibly wholly) innocent prisoners whom accident or misfortune may have made, for the time, their associates in person!

If, then, association of prisoners in gaol is in fact (as I hold it is) synonimous with their contamination and corruption, we are bound to put a stop to it. If the State cannot or will not make any effort to reform its prisoners, it is at least its plain and bounden duty to see that those whom it thrusts into prison do not leave it more depraved and vicious than they were when they entered it. If it will not reform them, at least it should not make them worse.

Hard labor constitutes at present the only punishment superadded by the courts in Canada to the deprivation of the prisoner's liberty. But strange as it may seem, this "hard labour" to which

the last two or three years, it would have been wrong to attempt to enforce such a sentence, there being in few, if any, of the gaols, cells suitable for the purpose.

our prisoners are day after day solemnly sentenced by the courts, really means nothing. The sentence is rarely, if ever, enforced, and in most cases the prisoner hears the last of his hard labour when he has heard the words from the lips of the judge.

The term "hard labour," though so frequently used in our courts, is not, so far as I am aware, defined any where in our Statutes. In England "hard labour" in gaols is generally understood, for even there the words lack legal precision, to mean penal or unproductive labour, such as the tread-wheel, the crank, or shot-drill. Such labour is designated "hard labour," in contradistinction to ordinary industrial labour. There is not a solitary gaol in Canada in which "hard labour," in the sense of penal, unproductive labour, has been or is carried out,—cranks, tread-wheels, and shot drill being absolutely unknown in our Canadian prisons.

But taking the sentence of hard labour in the sense in which it is perhaps generally understood in Canada, as referring that is, to such ordinary industrial labour as is occasionally carried on in our Canadian gaols, as, for example, breaking stones, sawing wood or the like, it is still certain that in this acceptation of the term "hard labour," there are very few prisons in the province where the sentence could be strictly carried out, for the simple reason that there are very few prisons where it is possible to give the prisoners so sentenced constant work of any sort to do.

To introduce "hard labour," in the strict penal sense of the word, into our gaols would of course be possible, by making it compulsory to have in each gaol a tread-wheel, crank or apparatus for shot-drill; but this would involve a large outlay in the first instance, as well as a permanent addition to the staff of each gaol, for the purpose of superintending the prisoners undergoing the sentence. The cost therefore would of itself be a serious if not a fatal objection to such an attempt.

On the other hand, the proved impossibility of obtaining a constant supply of industrial occupation for the prisoners in the common gaols forbids us to hope that by resorting to the use of industrial occupation, the sentence of "hard labor" could be rigidly enforced.

For myself I do not hesitate to avow, that while I am totally opposed to the false and mistaken humanity which seeks to make the condition of the criminal in gaol an object of envy to the honest laborer outside; while I am prepared to advocate a stern and severe prison discipline, a discipline calculated to teach the lesson "that the way of transgressors is hard"—while I am desirous to see "*penal labor*" part of the ordinary sentence of every prisoner in the *central* gaols, where the proper machinery for the purpose might be established, and the necessary supervision exercised—yet I am fully persuaded that it is wrong in principle and unwise in practice to make any *industrial occupation* part of a prisoner's punishment. Our efforts should be directed rather to conquer than to increase that dislike to labor which, in all probability, has mainly contributed to bring the man to prison. Make ordinary labor part of the prisoner's punishment, and his aversion to labor cannot fail to be intensified. If, on the contrary, the discipline of our prisons could be so organized (as I believe it might be in the proposed central prisons), that the prisoners should come to regard the permission to work as an indulgence and a boon, something would be done to diminish the man's distaste for labor, if not to give him a positive liking for it. "Make your prisoners industrious," said Howard the philanthropist, "and you make them virtuous." Which system is the more likely to make men industrious, that which makes labor a punishment, or that which makes labor a reward?

I do not, however, deem it necessary here to do more than allude to this objection to making industrial labor the sole or principal part of the punishment of the prisoners in our gaols, because, as I have already stated, however anxious we might be to do so, it would be practically impossible to carry out such a sentence.

As a matter of fact, then, we cannot enforce "hard labor," whether "*penal*" or "*industrial*" in our common gaols. But is there anything to prevent us from enforcing what I propose to substitute in its stead—"solitary confinement?" None whatever. All experience proves that the deterrent influence of "solitary punishment" is incomparably greater than that of hard labour, however severe the latter may be. There is no part of prison discipline

which the ordinary inmates of our gaols dread so much as "solitary confinement," none which exercises so beneficial and powerful a moral influence on the prisoner's mind, especially if accompanied for, at least, part of the sentence with enforced idleness, for "idleness in solitude leads to repentance, idleness in company leads to vice." Solitary confinement is now regarded in truth as the basis of every sound system of prison discipline. Whatever diversity of opinion there may still be as to the propriety of rigidly enforcing "solitary confinement" for *long periods in penitentiaries*, all writers are agreed that for the short-sentenced prisoners of our common gaols "solitary confinement" during the whole term of the sentence is not only unobjectionable and practicable, but that it is the wisest and the best system.

"Solitary confinement" is, however, unquestionably a much more severe punishment than "hard labor," and therefore in England even, where "hard labor" is really enforced in the strictest way by means of "tread-wheels," "cranks," or "shot-drill," ten day's "solitary confinement" is considered as fully equivalent to thirty days' imprisonment with "hard labor." In this country, therefore, where the "hard labor" is entirely imaginary, if "solitary confinement" were substituted for it, the sentences should at the same time be considerably reduced, probably to one-third of their present length.

Let us recapitulate briefly, the advantages which would be gained by thus substituting "solitary confinement" for "hard labor," supposing the sentence of imprisonment to be at the same time reduced to one-third its present length.

First. The punishment would be more formidable to the prisoners, and its deterrent influence consequently much greater. Something would thus be done to render our gaols what hitherto they have not been, "*a terror to evil-doers.*"

Secondly. The moral influence on the minds of the prisoners could hardly fail to be salutary.

Thirdly. Above and before all, it would effectually check the system of corruption and demoralization which must go on in any gaols where prisoners, however well classified, are permitted to associate freely with one another. Our gaols would thus cease to be, as they

have been hitherto, hotbeds of infamy, and nurseries of vice and crime.*

To this result of the introduction of the system of separate confinement in our common gaols, namely, the checking of the demoralization and corruption of which they have hitherto been the centres, I attach, as I have already intimated, even more importance than to its deterrent influences.

Fourthly. It would diminish immediately (by probably one-half) the average number of prisoners confined in our gaols, and consequently virtually more than double the accommodation of the gaols.

Fifthly. It would diminish the cost of the maintenance of our prisons to the same extent, or nearly to the same extent, as it reduced the average number of prisoners confined in them.

Sixthly. It would tend to bring about what is most desirable, a uniformity of punishment in prisons.

It is hardly necessary to observe that so long as prisoners are sentenced to hard labor, in the absence of any proper machinery in the majority of gaols systematically to enforce the sentence, there must be great inequalities in the penal discipline of different gaols. The severity of the prisoners' punishment will, in fact, be determined, not by the sentence of the judge, but by the extent to which, in any particular gaol, the authorities have the means or inclination to enforce hard labor.

It would have, moreover, this incidental advantage which is worth

*How much it concerns us to check the process of demoralization and corruption now going on among the prisoners in our gaols, will at once be admitted when it is remembered that the average number of annual imprisonments in the common gaols of Canada during the last five years, is between 11,000 and 12,000.

If any one needs proof of the frightful effects of the present system in our unimproved gaols, he will find it in the sad examples furnished in the separate report of Mr. Inspector Ferres for the year 1862; examples, be it remembered, all taken from one single prison, that of Montreal. Alluding to the revelations contained in Mr. Ferres' report as to the way in which criminals were manufactured in the Montreal gaol, a leading newspaper of Montreal remarks: "The gaols of our great towns are nurseries of vice. They breed, rear and educate criminals for the work of preying on society. They rob the community of the wealth that might be earned by felons if saved from this baneful education. They entail the heavy cost of catching, trying, and keeping incarcerated, at these prisons, educated felons"

To put an end to a system which bears such fruits, would be, indeed, a consummation devoutly to be wished; and this we might hope to do by the introduction of solitary confinement.

noting, that it would relieve the judges from the necessity of daily going through the solemn farce of pronouncing sentences, which they, the prisoners and the public, well know, cannot possibly be enforced.

The ablest writers on the subject of prison discipline in England have, of late years, earnestly urged the necessity of enforcing separate confinement in all common gaols, and recently these views have been advocated most forcibly in the admirable report of the select committee of the House of Lords, on the state of prison discipline in England, made last year. Urging the necessity of the complete separation of prisoners while in gaol, they observe: "The committee entertain a very decided opinion on this head, and having reference to the course of legislation now extending over many years, and the agreement in opinion and practice of the highest authorities, they consider that the system generally known as the 'separate system' must now be accepted as the foundation of prison discipline, and that its rigid maintenance is a vital principle in the efficiency of county and borough gaols." They quote also, with approval, the opinion expressed by former Commissioners, that "the separation of one prisoner from another is the only sound basis on which a reformatory discipline can be established with any reasonable hope of success." *

I have already stated that there is at present an almost universal concurrence of opinion among writers upon the peculiar value of "solitary confinement" as a part of prison discipline. I may again cite here the opinion of probably the greatest German authority on questions of this sort—Professor Mittermaier—quoted in my separate report of 1862: "The old disputed question," says the professor, "whether the system of 'associated imprisonment' or of 'solitary confinement,' is to be preferred, and how the former might be amended, disappears, giving place to a general conviction, the result of recent investigation, that 'solitary confinement' must be recognized as an indispensable part of all prison discipline. The question at present is rather whether 'solitary confinement' should

* The conclusions of the committee are entirely sustained by the concurring testimony of the very numerous and highly competent witnesses examined before them.

be adopted as general and only system in carrying out the entire execution of sentences of imprisonment, or whether it shall be employed only for a part of the sentence."

Upon this point Sir Joshua Jebb and Sir Walter Crofton, the great rival authorities in England and Ireland (whose opinions upon many other points are at variance), are perfectly agreed. The adoption of "solitary punishment" instead of the present utterly illusory sentence of "hard labour," would now be possible in many of our gaols in Canada. Until very lately indeed it would not have been possible in any. Four years ago, when the present Board entered upon its duties, there was not in the entire province, from Gaspé to Amherstburgh, a single gaol where it would have been practicable to enforce "solitary confinement." Now, however, there are ample means of enforcing this complete separation, not only in all the new gaols (about one-fourth of the whole), but also in a great number of the old gaols—in all those, in fact, in which alterations and additions have been made in accordance with the requirements of the law and the suggestions of the Board.*

To have earlier attempted the change now proposed would, therefore, have been premature, but it is submitted that there is no valid reason why the change should not now be made. It is, indeed, true that there are still some few gaols in both Upper and Lower Canada in which, from their defective construction, it would be impossible to carry out strictly the principle of "solitary confinement." But there does not appear to be any sufficient reason for not introducing the change of system in those gaols where "solitary confinement" could be really enforced. At the worst, even if "solitary confinement" were substituted at once in all our prisons in place of "hard labour," we should be much better off than at present, for the latter sentence cannot be enforced in one single gaol in Canada, whereas the former could be from the first enforced in a very large number of them. There would be this benefit, more

* In all the gaols above referred to, there is a certain proportion of the cells, generally about one-third of the whole number, termed "night and day" cells, which were intended by the Board to be used for separate confinement. These cells are as large as those now used in England for the same purpose, 9 feet long by 6 feet wide. See question 1002 in report of select committee of the House of Lords on prison discipline, for 1862.

over, resulting from the immediate adoption of the proposed system of "solitary confinement" with shortened sentences in the gaols where the construction would allow of its being introduced, that the great economy of the new system as compared with the old would at once be made apparent, and municipal councils and other public bodies who cannot be persuaded to make the necessary alterations in their gaols from motives of humanity or morality might yet be induced to make them from motives of economy.

It is not necessary to discuss here at any length the question, which is merely one of detail, as to the time and manner of making the proposed change in our prison system. I shall merely remark in passing that it appears to me the change might be at once introduced into all those gaols which should be certified by the Board to the Government to be adapted for it, and that the remaining prisons might be from time to time proclaimed in the official Gazette as coming within the meaning of the Act, on its being duly certified to the Government by the Board that the necessary alterations had been made in them to adapt them to the purpose.

The system thus strongly recommended by the Committee of the House of Lords has indeed already been partially tried in England, and with the most satisfactory results. In 1839 an Act was passed (2 and 3 Vic., cap. 56) authorizing the separate confinement of prisoners during the whole or any part of their imprisonment in gaol. The following extract from the Report of the Inspector of Prisons for the Southern District of England,' for the year 1862, shows how well the Act has worked:

"It is very satisfactory to refer to the great and manifold improvements that have taken place in the construction and discipline in the prisons of England and Wales since the enactment of the Statute 2 and 3 Victoria, cap. 56, by which the separate confinement of prisoners, as contra-distinguished from solitary confinement, was first sanctioned by law. In the year 1843, when I had the honor to be appointed to my present office, there were two prisons only in the part of the country now comprised in the Southern District, in which advantage had been taken of the provisions of that Act. * * * * These prisons, at the time

to which I refer, contained less than an aggregate number of 200 certified cells, whereas at the present time there are more than 8000 which have received the legal sanction to be used in the same form of discipline. In indicating this change as evidence of the growing conviction of the advantages which have attended the adoption of separate confinement, it should be mentioned that more than nine-tenths of the cells so certified are contained in prisons expressly built for the exercise of this discipline, and the remainder have been obtained by alterations of existing cells, of so expensive a character that they would not have been undertaken without a strong conviction of the superiority of the form of discipline to be carried out in them."

The Inspector adds that the number of commitments to the prisons thus altered, rapidly decreased, and that in many gaols it was reduced to one-half what it had been ten years before.

The provisions of the Imperial statute just referred to, respecting the separate confinement of prisoners, leave the matter to the discretion of the local authorities. But the committee of the House of Lords, in their report, recommend "that legislative measures be taken as speedily as possible to render the adoption of separation obligatory upon all gaols and houses of correction in England and Wales, and that the payment of the proportion of the charge, now issued from the public revenues in aid of the county and borough prisons be made contingent, in each case, on the adoption of the separate system."

If the adoption of the "separate system" be necessary in England, where every gaol possesses in its chaplain, its schoolmaster—its system of hard labor—so many agencies to check or counteract the evil effects of the association of the prisoners, how much more necessary is such a system in Canada, where our gaols are without chaplains, without school-masters, without any means of providing labor for our prisoners, and where, consequently, the system of association of prisoners is left wholly unchecked to produce its sad and bitter fruits.

In conclusion, I would observe that the subject which I have ventured to bring under your notice this evening, is one of no ordinary practical importance to society. It belongs, however, to a class of

social questions which have not, in my opinion, received adequate attention from the thinking and educated men in the community. It is mainly with the hope of awakening, in some degree, a personal interest in these great social problems among the members of this society, and through them in the public generally, that I have been induced to address you on the present subject. No important changes in our prison system are likely to be effected until those changes are demanded and supported by public opinion, and the first step towards creating this public opinion is to excite a personal interest in these questions among thinking men. It is the sum of personal interest, felt and expressed on such subjects by the intelligent minds of the community, which, in every free country, forms and moulds the character of public opinion; and it is this public opinion which ordains and shapes the laws and institutions of the land.